

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>NEXUS BANKRUPTCY Benjamin Heston (297798) 3090 Bristol Street #400 Costa Mesa, CA 92626 Tel: 949-312-1377 Fax: 949-288-2054 ben@nexusbk.com</p> <p><input type="checkbox"/> <i>Movant(s) appearing without an attorney</i> <input checked="" type="checkbox"/> <i>Attorney for Movant(s)</i></p>		<p>FOR COURT USE ONLY</p>	
<p><b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION</b></p>			
<p>In re:</p> <p>TODD DIEDRICH, and</p> <p>ASHLEY ESQUIVEL,</p> <p>Debtor(s).</p>		<p>CASE NO.: 6:23-bk-12440-RB</p> <p>CHAPTER: 13</p>	
		<p><b>DECLARATION THAT NO PARTY REQUESTED A HEARING ON MOTION LBR 9013-1(o)(3)</b></p>	
		<p>[No Hearing Required]</p>	

1. I am the ☐ Movant(s) or ☒ attorney for Movant(s) or ☐ employed by attorney for Movant(s).
2. On *(date)*: 01/10/2024 Movant(s) filed a motion or application (Motion) entitled: Motion to Modify Plan or Suspend Plan Payments
3. A copy of the Motion and notice of motion is attached to this declaration.
4. On *(date)*: 01/11/2024 Movant(s), served a copy of ☐ the notice of motion or ☒ the Motion and notice of motion on required parties using the method(s) identified on the Proof of Service of the notice of motion.
5. Pursuant to LBR 9013-1(o), the notice of motion provides that the deadline to file and serve a written response and request for a hearing is 14 days after the date of service of the notice of motion, plus 3 additional days if served by mail, or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F).
6. More than 45 days have passed after Movant(s) served the notice of motion.
7. I checked the docket for this bankruptcy case and/or adversary proceeding, and no response and request for hearing was timely filed.
8. No response and request for hearing was timely served on Movant(s) via Notice of Electronic Filing, or at the street address, email address, or facsimile number specified in the notice of motion.

9. Based on the foregoing, and pursuant to LBR 9013-1(o), a hearing is not required.

Movant(s) requests that the court grant the motion and enter an order without a hearing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date: 01/11/2024

/s/Benjamin Heston  
Signature

Benjamin Heston  
Printed name

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**3090 Bristol Street #400  
Costa Mesa, CA 92626**

A true and correct copy of the foregoing document entitled (*specify*): **DECLARATION THAT NO PARTY REQUESTED A HEARING ON MOTION [LBR 9013-1(O)(3)]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 2/26/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Kelli M Brown kbrown@ghidottiberger.com, bknotifications@ghidottiberger.com  
Rod Danielson (TR) notice-efile@rodan13.com  
Sheryl K Ith sith@cookseylaw.com  
Noemi Padilla bknotifications@ghidottiberger.com, npadilla@ghidottiberger.com  
Arvind Nath Rawal arawal@aisinfo.com  
United States Trustee (RS) ustpregion16.rs.ecf@usdoj.gov  
Kelli M Brown kbrown@ghidottiberger.com, bknotifications@ghidottiberger.com  
Rod Danielson (TR) notice-efile@rodan13.com  
Sheryl K Ith sith@cookseylaw.com  
Noemi Padilla bknotifications@ghidottiberger.com, npadilla@ghidottiberger.com  
Arvind Nath Rawal arawal@aisinfo.com  
United States Trustee (RS) ustpregion16.rs.ecf@usdoj.gov

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) 2/26/2024 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed (state method for each person or entity served):

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2/26/2024  
Date

Benjamin Heston  
Printed Name

/s/Benjamin Heston  
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.